

REMARKS

Claims 30-35, 41-45 and 51-63 have been allowed.

Claims 17, 19, 20, and 51-55 are sought to be cancelled herein without prejudice or disclaimer. Applicants reserve the right to pursue the canceled subject matter in a continuing application. Claims 30 and 32 have been amended to correct a minor, obvious error in claim order, placing claims 31 and 32 in proper dependent form and ensuring the further limitation of the subject matter of dependent claims 31 and 32, as required by 37 C.F.R. §1.75(c). Claims 56 and 58 have likewise been amended to ensure the further limitation of the subject matter in dependent claims 57 and 58. None of these claim amendments are substantive, and therefore do not require any further search and consideration by the Examiner. As suggested by the Examiner, claims 64-66 have been amended to recite “the isolated polypeptide of claim 62”. No new matter has been added.

Upon entry of the present amendment, claims 30-35, 41-45 and 56-71 will be pending.

I. Claim Objections

In the first paragraph on page 5 of Paper No. 01292004, claim 20 is objected to for depending from a claim drawn to a nonelected invention. Claim 20 is canceled upon entry of the present amendment, thus obviating this rejection.

II. Rejections under 35 USC §112, second paragraph

On page 5 of Paper No. 01292004, claims 64-66 are rejected for allegedly being indefinite. The Examiner further states that amending the claims to recite “the polypeptide of claim 62” would overcome this rejection.

Upon entry of the present amendment, claims 64-66 are amended to recite “the isolated polypeptide of claim 62”, thus obviating this rejection.

III. Double Patenting (Duplicate Claims) objection

On page 6 of Paper No. 01292004, claims 67-71 are objected to under 37 C.F.R. § 1.75 as allegedly being substantial duplicates of claims 51-55.

Applicants respectfully disagree and traverse this objection for the reasons set forth in the Response and Amendment filed on March 26, 2004. Nonetheless, solely in the


interest of expediting prosecution, claims 51-55 are canceled without prejudice or disclaimer upon entry of the present amendment. Accordingly, this objection has been obviated and should be withdrawn.

Conclusion

Applicants respectfully request that the above-made remarks and amendments be entered and made of record in the file history of the instant application. In view of the foregoing remarks, Applicants believe that this application is now in condition for allowance, and an early notice to that effect is urged. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicants would expedite the allowance of this application. If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the fee should also be charged to our Deposit Account.

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Respectfully submitted,

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